



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No. 040405/0328

Applicant: Shigeru SAITO

Title: DSM-CC CAROUSEL RECEIVER, RECEIVING METHOD
USED THEREFOR, AND RECORDING MEDIUM STORING A
CONTROL PROGRAM THEREFOR

Application No.: 09/685,059

Filed: October 5, 2000

Examiner: Unassigned

Art Unit: 2611

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**INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56 and 37 CFR §1.97**

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

Submitted herewith on Form PTO-SB/08 is a listing of documents known to Applicant in order to comply with Applicant's duty of disclosure pursuant to 37 CFR 1.56. A copy of each listed document is being submitted to comply with the provisions of 37 CFR 1.97 and 1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicant does not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a prima facie prior art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The instant Information Disclosure Statement is believed to be filed in accordance with 37 C.F.R. 1.97(b), prior to the mailing date of a first Office Action on the merits (first scenario). If that is not the case, such as in a second scenario in which a first Office Action on the merits has been mailed before the filing of the instant Information Disclosure Statement, then either a certification or fee is required, and a certification is provided below. If neither of the first or second scenarios is the case, such as if a final Office Action or a notice of allowance has been mailed by the PTO (third scenario), then both a certification and fee are required, and in that case a certification is provided below and also the PTO is authorized to obtain the necessary fee to have the instant IDS considered, from Foley & Lardner Deposit Account #19-0741.

CERTIFICATION

The undersigned hereby certifies in accordance with 37 C.F.R. §1.97(e)(1) that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of this Statement.

RELEVANCE OF EACH DOCUMENT

A translation of a portion of a Japanese Office Action that issued April 13, 2004 with respect to a counterpart Japanese patent application is provided below.

“Partial translation of Japanese Office Action mailed
04/13/2004 (040405-0328, 09/685,059)

Record of Prior Art Literature Search Results

- Searched Field - IPC 7th edition - H04H - 1/00 - 3/00
H04N - 5/44 -
H04N - 7/08
H04B - 1/16
H04J - 3/00
JICST File (JOIS)

- Prior Art

JP 2000-036946

International Publication 99/49614 Pamphlet (1999)

International Publication 98/43162 Pamphlet (1998)

International Publication 98/57273 Pamphlet (1998)

L. Atzori, M. Di Gregorio, "Multimedia Information Broadcasting Using Digital TV Channels", IEEE Transactions on Broadcasting, September 1997, Vol. 43, No. 3, pages 242-251

Regis J. Crinon, "THE DSM-CC OBJECT CAROUSEL FOR BROADCAST DATA SERVICES", Digest of Technical Papers of IEEE International Conference on Consumer Electronics, June 1997, pages 246-247

(This result of prior art search does not constitute a reason for rejection.)"

Applicants' statements regarding the Japanese Office Action is based on a partial translation that Applicants' representative obtained. These statements should in no way be considered as an agreement by Applicants with, or an admission of, which is asserted in the Japanese Office Action.

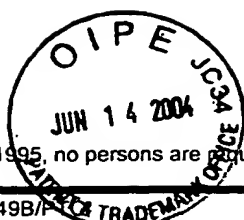
Applicant respectfully request that the listed documents be considered by the Examiner and formally be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

Respectfully submitted,

June 14, 2004
Date

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MODIFIED PTO/SB/08 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449B/P.O. Box 1450 INFORMATION DISCLOSURE STATEMENT BY APPLICANT Date Submitted: June 14, 2004 (use as many sheets as necessary)		Complete if Known	
		Application Number	09/685,059
Sheet	1	Filing Date	10/05/2000
	of	First Named Inventor	Shigeru SAITO
	1	Group Art Unit	2611
		Examiner Name	Unassigned
		Attorney Docket Number	040405-0328

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			

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FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ³	Number ⁴	Kind Code ⁵ (if known)				
	A1	PCT	WO 98/43162 ✓		10/01/1998			
	A2	PCT	WO 98/57273 ✓		12/17/1998			
	A3	PCT	WO 99/49614 ✓		09/30/1999			
	A4	JP	2000-036946 ✓		02/02/2000			ABS

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶
	A5	REGIS J. CRINON, "The DSM-CC Object Carousel for Broadcast Data Services", 1997, pages 246-247	
	A6	ATZORI, L., "Multimedia Information Broadcasting Using Digital TV Channels", September, 1997, pages 242 - 251, Vol. 43, No. 3.	

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.